

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA

v.

JONATHAN KYLE BAUER  
a.k.a. "Jonathan Kyle Wingate"

§  
§  
§  
§  
§  
§

SEALED

No. 4:22CR 25  
Judge Jordan

FILED

FEB 9 - 2022

Clerk, U.S. District Court  
Texas Eastern

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

Count One

Violation: 21 U.S.C. § 846 and 18  
U.S.C. § 2 (Conspiracy to Possess with  
the Intent to Distribute Marijuana and  
Aiding and Abetting)

That from sometime in or about January 2010, and continuously thereafter up to and including the date of this indictment, in the Eastern District of Texas and elsewhere, **Jonathan Kyle Bauer a.k.a. "Jonathan Kyle Wingate"**, defendant, did knowingly and intentionally combine, conspire, and agree with other persons known and unknown to the United States Grand Jury, to knowingly and intentionally possess with the intent to distribute 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a violation of 21 U.S.C. § 841(a)(1).

In violation of 21 U.S.C. § 846 and 18 U.S.C. § 2.

**Count Two**

Violation: 18 U.S.C. §§ 1956(h) and 2  
(Conspiracy to Commit Money  
Laundering and Aiding and Abetting)

That from sometime in or about January 2010, and continuously thereafter up to and including the date of this indictment, **Jonathan Kyle Bauer, a.k.a. “Jonathan Kyle Wingate”**, defendant, did knowingly combine, conspire, and agree with other persons known and unknown to the grand jury to conduct or attempt to conduct financial transactions:

1. knowing that the property involved in a financial transaction(s) represented the proceeds of some form of unlawful activity, conducted or attempted to conduct a financial transaction which in fact involved the proceeds of a specified unlawful activity, conspiracy or distribution or possession with the intent to distribute a controlled substance(s) with the intent to promote the carrying on a specified unlawful activity in violation of 18 U.S.C. § 1956(a)(1)(A)(i);

2. knowing that the property involved in a financial transaction or transactions represented the proceeds of some form of unlawful activity, conducted or attempted to conduct a financial transaction which in fact involved the proceeds of a specified unlawful activity, conspiracy or distribution or possession with the intent to distribute a controlled substance(s) knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of that specified unlawful activity in violation of 18 U.S.C. § 1956(a)(1)(B)(i);

3. promoting the carrying on of a specified unlawful activity; or, to conceal or disguise the nature, location, source, ownership, or control of property believed to be the proceeds of specified unlawful activity, conduct or attempt to conduct a financial transaction involving property represented to be the proceeds of specified unlawful activity; that is, conspiracy or distribution or possession with the intent to distribute a controlled substance(s), or property used to conduct or facilitate specified unlawful activity in violation of 18 U.S.C. § 1956(a)(3);

4. involving criminally derived property of a value greater than \$10,000 that is derived from a specified unlawful activity; that is, conspiracy or distribution or possession with the intent to distribute a controlled substance(s) in violation of 18 U.S.C. § 1957.

All in violation of 18 U.S.C. § 1956(h).

**NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE**

**Criminal Forfeiture Pursuant to 21 U.S.C. § 853 and 18 U.S.C. § 982**

As a result of committing the offenses charged in this Indictment, the defendant shall forfeit to the United States any property they may have used or intended to be used to commit or facilitate the offenses and/or property derived from proceeds obtained directly or indirectly as a result of the commission of the violations of 21 U.S.C. § 846 and proceeds and property involved in violations of 18 U.S.C. § 1956(h), including but not limited to the following:

**REAL PROPERTY**

a. All that lot or parcel of land, together with buildings, improvements, fixtures, attachments and easements located at 14594 S. Ponderosa Way Grass Valley, CA 95949, owned by Joseph Bauer, more fully described as follows: The land described herein is situated in the State of California, County of Nevada, City of Grass Valley, PTN PCL 2 PM 12/155 Tax ID: 053-210-019.

b. All that lot or parcel of land, together with buildings, improvements, fixtures, attachments and easements located at 12421 Silver Springs Place Grass Valley, CA 95949, owned by Pine Needle LLC, **Jonathan Kyle Bauer a.k.a. "Jonathan Kyle Wingate"**, hereafter ("**Bauer**"), more fully described as follows: PCL 1 PM 16/91 Tax ID: 055-050-057.

c. All that lot or parcel of land, together with buildings, improvements, fixtures, attachments and easements located at 14799 Dove Road Grass Valley, CA 95949, owned by Joseph Bauer, more fully described as follows: LOT 16, OF FLYING "R" RANCH, AS SHOWN ON THE OFFICIAL MAP THEREOF, FILED IN THE OFFICE OF THE NEVADA COUNTY RECORDER ON NOVEMBER 27, 1979 IN BOOK 6 OF MAPS AT PAGE 30. Tax ID: 002-670-008.

d. All that lot or parcel of land, together with buildings, improvements, fixtures, attachments and easements located at 14783 Arrow Road Penn Valley, CA 95946, owned by Pine Needle LLC, **Bauer**, as more fully described as follows: real property in the City of unincorporated area County of NEVADA, State of California:

Lot 4 of Arrow Glen, as shown on the Official Map thereof, filed April 13, 1987, in Book 7 of Subdivision Maps, at Page 79, Nevada County Records. TOGETHER WITH all easements and rights as granted to Czynna Williams, deed Recorded September 19, 1990, as Instrument No. 90-30320, Tax ID: 002-590-023.

e. All that lot or parcel of land, together with buildings, improvements, fixtures, attachments and easements located at 19163 Oak Tree Nevada City, CA 95959, owned by Pine Needle LLC, **Bauer**, as more fully described as follows: THENCE NORTH 0 DEGREE 29' EAST 636.00 FEET TO AN IRON PIPE; THENCE NORTH 88 DEGREES 51' 52" EAST, 274. 00 FEET TO AN IRON PIPE IN THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 4; THENCE SOUTH 0 DEGREE 29' WEST 636.00 FEET TO AN IRON PIPE; AND THE POINT OF BEGINNING.

BEGINNING AT THE NORTHEAST CORNER OF PARCEL NO. 1, DESCRIBED ABOVE, THENCE FROM SAID NORTHEASTERLY CORNER ALONG THE CENTERLINE OF SECTION 4 NORTH A DISTANCE OF 477.0 FEET TO A POINT ON THE CENTERLINE OF SAID SECTION, THENCE FROM SAID POINT PARALLEL TO THE NORTH LINE OF SAID SECTION, WEST A DISTANCE OF 274.0 FEET TO A POINT; THENCE PARALLEL TO THE CENTERLINE OF SAID SECTION SOUTHERLY 477.0 FEET TO THE NORTHWEST CORNER OF PARCEL NO. 1 DESCRIBED ABOVE, THENCE, EASTELRY A DISTANCE OF 274.0 FEET TO THE NORTHEAST CORNER AND THE POINT OF BEGINNING.

ALL THAT PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 17 NORTH, RANGE 8 EAST, WITHIN THE LANDS

DESCRIBED IN THE DEED DATED FEBRUARY 28, 1964, RECORDED MARCH 3, 1964, IN BOOK 352, PAGE 459, OFFICIAL RECORDS, TO CLARENCE H. RODARMEL AND EMILY H. RODARMEL, HIS WIFE, AS JOINT TENANTS; SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS LYING SOUTHERLY OF THE CENTERLINE OF THAT CERTAIN RIGHT OF WAY FOR COUNTY ROAD AS SAID COUNTY ROAD IS MORE FULLY DESCRIBED IN THE DEED DATED MARCH 1, 1955, RECORDED MARCH 23, 1955, IN BOOK 207, PAGE 55, FROM IVAN BULER ET AL TO COUNTY OF NEVADA, Tax ID: 060-390-006.

f. All that lot or parcel of land, together with buildings, improvements, fixtures, attachments and easements located at 13401 S Ponderosa Grass Valley, CA 95945, owned by Laura Wingate, Trustee of the Laura E. Wingate Trust, as more fully described as follows: All that real property lying within Section 31, Township 16 North, Range 8 East, M.D.B. & M., described as follows: COMMENCING AT A POINT lying upon the North line of the South half of the Northwest quarter of said Section 31, from which the Northwest corner of Lot 2 of said Section bears South 87 degrees 23' 06" West 1341.34 feet; THENCE from said POINT OF COMMENCEMENT; North 87 degrees 23' 06" East 1341.33 feet to the East sixteenth corner of the Southwest quarter of said Section 31; THENCE South 02 degrees 15' 48" East 1331.00 feet to the center quarter corner of said Section 31; THENCE North 88 degrees 03' 11" East 983.17 feet along the East West centerline of said Section 31 to the point of intersection with the West line of Lots 204 & 205 of said Section; THENCE South 34 degrees 10' 30" West 1840.22 feet along, and a prolongation of said West line to the Southwest corner of the lands described

within the Document filed In Volume 74 at Page 344 of Nevada County Official Records; THENCE South 76 degrees 19' 10" East 114.25 feet along the South line of said described lands to the point of Intersection with the North South centerline of said Section 31; THENCE South 02 degrees 15' 48" East 1071.15 feet to the South quarter corner of said Section 31; THENCE South 87 degrees 48' 56" West 1324.86 feet along the South line of said Section 31; THENCE North 02 degrees 30' 16" West 3909.40 feet to said POINT OF COMMENCEMENT. Said Legal Description is set forth in Lot Line Adjustment LA07-034(2), Grant Deed, recorded December 10, 2008, Instrument No. 2008-29605, Official Records. Reserving Therefrom easements for purposes of ingress, egress and any and all public and private utilities, sixty (60) feet In width centered over those certain private and public roads known as Deadman's Flat Road and Idlewild Drive, together with the right to extend roadway cut and fill slopes beyond said easement; only as may be needed to meet prevailing County and fire safe road standards, TOGETHER WITH easements for purposes of ingress, egress and any and all public and private utilities, sixty (60) feet in width centered over those certain private and public roads known as Deadman's Rat Road, Vulcan Road, Treasure Box Road, Manzanita Jungle Road and Idlewild Drive together with the right to extend roadway cut and fill slopes beyond. said easement, only as may be needed to meet prevailing County and fire safe road standards. APN: 053-411-013-000, Parcel No. 3 as shown on Parcel Map 76-1, filed May 21,1976 in the Office of the County Recorder of Nevada County, California in Book 10 of Parcel Maps, Page 103. A.P.N.: 53-400-04, 53-400-05. TOGETHER WITH easement for ingress, egress and public utilities over the West 50 feet of Parcel 4 on Map



filed May 21,1976, in Book 10 of Parcel Maps, Page 103, as granted and set forth in deed to Ron-Mar Construction Co., recorded November 19,1979, Book 1094, Page 271, Official Records. ALSO TOGETHER WITH all easements as shown on the Parcel Map for B. Maltman, being a portion of the West 1/2 of the West 1/2 of Section 32, Township 16 North, Range 8 East, M.D.B.&M., as filed in the Office of the Recorder, Nevada County, California, on May 21,1976, in Book 10 of Maps at Page 103. The land described herein is situated in the State of California, County of Nevada, unincorporated area, described as follows: PARCEL ONE: A PORTION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 17 NORTH, RANGE 8 EAST, M.D.B.&M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER FROM WHICH THE CENTER OF SAID SECTION 4 BEARS NORTH 00 DEGREE 29' 00" EAST 227.03 FEET; THENCE FROM SAID POINT OF BEGINNING AND ALONG SAID EAST LINE SOUTH 00 DEGREE 29' 00" WEST 477.00 FEET THENCE LEAVING SAID EAST LINE SOUTH 88 DEGREES 51' 52" WEST 274.00 FEET THENCE PARALLEL WITH SAID EAST LINE NORTH 00 DEGREE 29' 00" EAST 477.00 FEET THENCE NORTH 88 DEGREES 51' 52" EAST 274 FEET TO THE POINT OF BEGINNING. PARCEL TWO: ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 17 NORTH, RANGE 8 EAST, M.D.B.&M., DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4; THENCE SOUTH 0 DEGREE 29" WEST 142.83 FEET TO A POINT IN THE NORTHERLY LINE OF



OAK TREE ROAD, COUNTY ROAD NUMBER P 40; THENCE ALONG SAID NORTHERLY LINE OF OAK TREE ROAD THE FOLLOWING FIVE COURSES, NORTH 73 DEGREES 33' 38" WEST, 86.51 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 630 FEET, THROUGH AN ANGLE OF 15 DEGREES 01' 02" FOR A DISTANCE OF 165.12 FEET; THENCE NORTH 88 DEGREES 34' 40" WEST, 154.54 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 970 FEET. THROUGH AN ANGLE OF 14 DEGREES 41' 49" FOR A DISTANCE OF 248.81 FEET; THENCE NORTH 73 DEGREES 52' 51" WEST, 129.04 FEET TO A POINT IN THE NORTHERLY LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 4; THENCE NORTH 88 DEGREES 51' 52" EAST 496.67 FEET; THENCE NORTH 0 DEGREE 29', 636.00 FEET TO AN IRON PIPE; THENCE NORTH 88 DEGREES 51' 52" EAST, 274.00 FEET TO AN IRON PIPE IN THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 4; THENCE SOUTH 0 DEGREE 29' WEST, 836.00 FEET TO AN IRON PIPE AND THE POINT OF BEGINNING. APN: 060-390-007 (Affects Parcel One), 060-390-008 (Affects a portion of Parcel Two), 060-390-009 (Affects the remainder of Parcel Two), The land described herein is situated in the State of California, County of Nevada, unincorporated area, described as follows: Parcel B, as shown on the Map filed in the Office of the County Recorder of Nevada County on November 5, 1973, in Book 6 of Parcel Maps, Page 71. TOGETHER WITH easements for ingress, egress and utility purposes as set forth in the deed to Larry G. Howe, et ux, recorded November 16, 2001, Instrument, No. 2001-41494, Official Records, APN: 056-071-003-000, Lot 4

of Arrow Glen, as shown on the Official Map thereof, filed April 13, 1987, in Book 7 of Subdivision Maps, at Page 79, Nevada County Records, TOGETHER WITH all easements and rights as granted to Czyrna Williams, in deed Recorded September 19, 1990, as Instrument No. 90-30320, APN: 002-590-023-000, Tax ID: 053-400-005-000.

g. All that lot or parcel of land, together with buildings, improvements, fixtures, attachments and easements located at 13700 Deadmans Flat Rd. Grass Valley, CA 95949, owned by Pine Needle LLC, **Bauer**, as more fully described as follows: All that real property lying within Section 31, Township 16 North, Range 8 East, M.D.B. & M., described as follows: COMMENCING AT A POINT lying upon the North line of the South half of the Northwest quarter of said Section 31, from which the Northwest corner of Lot 2 of said Section bears South 87 degrees 23' 06" West 1341.34 feet; THENCE from said POINT OF COMMENCEMENT; North 87 degrees 23' 06" East 1341.33 feet to the East sixteenth corner of the Southwest quarter of said Section 31; THENCE South 02 degrees 15' 48" East 1331.00 feet to the center quarter corner of said Section 31; THENCE North 88 degrees 03' 11" East 983.17 feet along the East West centerline of said Section 31 to the point of intersection with the West line of Lots 204 & 205 of said Section; THENCE South 34 degrees 10' 30" West 1840.22 feet along, and a prolongation of said West line to the Southwest corner of the lands described within the Document filed in Volume 74 at Page 344 of Nevada County Official Records; THENCE South 76 degrees 19' 10" East 114.25 feet along the South line of said described lands to the point of intersection with the North-South centerline of said Section 31; THENCE South 02

degrees 15' 48" East 1071.15 feet to the South quarter corner of said Section 31;  
THENCE South 87 degrees 48' 56" West 1324.86 feet along the South line of said  
Section 31; THENCE North 02 degrees 30' 16" West 3909.40 feet to said POINT OF  
COMMENCEMENT. Said Legal Description is set forth in Lot Line Adjustment LA07-  
034 (2), Grant Deed, recorded December 10, 2003, Instrument No. 2008-29605, Official  
Records. Reserving Therefrom easements for purposes of ingress, egress and any and all  
public and private utilities, sixty (60) feet In width centered over those certain private and  
public roads known as Deadman's Flat Road and Idlewild Drive, together with the right  
to extend roadway cut and fill slopes beyond said easement only as may be needed to  
meet prevailing County and fire safe road standards. TOGETHER WITH easements for  
purposes of Ingress, egress and any and all public and private utilities, sixty (60) feet in  
width centered over those certain private and public roads known as Deadman's Flat  
Road, Vulcan Road, Treasure Box Road, Manzanita Jungle Road and Idlewild Drive,  
together with the right to extend roadway cut and fill slopes beyond said easement only  
as may be needed to meet prevailing County and fire safe road standards. Tax ID: 053-  
411-013-000.

h. All that lot or parcel of land, together with buildings, improvements,  
fixtures, attachments and easements located at 18357 Message Pl. Grass Valley, CA  
95949, owned by Laura Wingate, Trustee of the Laura E. Wingate Trust, as more fully  
described as follows: The land described herein is situated in the State of California,  
County of Nevada, unincorporated area, described as follows: Parcel B, as shown on the  
Map filed in the Office of the County Recorder of Nevada County on November 5, 1973,

in Book 6 of Parcel Maps, Page 71. TOGETHER WITH easements for ingress, egress and utility purposes as set forth in the deed to Larry G. Howe, et ux, recorded November 16, 2001, Instrument No. 2001-41494, Official Records. Address: 18357 Message PL, Grass Valley, CA, Tax ID: 056-071-003-000.

i. All that lot or parcel of land, together with buildings, improvements, fixtures, attachments and easements located at 19031 Oak Tree Road Nevada City, CA 95959, owned by Lloyd Harrison, LLC, as more fully described as follows: situated in the State of California, County of Nevada, unincorporated area, described as follows: PARCEL ONE: A PORTION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 17 NORTH, RANGE 8 EAST, M.D.B.&M.. DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF SAID SOUTHWEST ONE - QUARTER FROM WHICH THE CENTER OF SAID SECTION 4 BEARS NORTH 00 DEGREES 29' 00" EAST 227.03 FEET: THENCE FROM SAID POINT OF BEGINNING AND ALONG SAID EAST LINE SOUTH 00 DEGREES 29' 00" WEST 477.00 FEET THENCE LEAVING SAID EAST LINE SOUTH 88 DEGREES 51' 52" WEST 274.00 FEET THENCE PARALLEL WITH SAID EAST LINE NORTH 00 DEGREES 29' 00" EAST 477.00 FEET THENCE NORTH 88 DEGREES 51' 52" EAST 274 FEET TO THE POINT OF BEGINNING. PARCEL TWO: ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 17 NORTH, RANGE 8 EAST, M.D.B.&M., DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4; THENCE SOUTH 0

DEGREES 29' WEST 142.83 FEET TO A POINT IN THE NORTHERLY LINE OF OAK TREE ROAD, COUNTY ROAD NUMBER P 40; THENCE ALONG SAID NORTHERLY LINE OF OAK TREE ROAD THE FOLLOWING FIVE COURSES, NORTH 73 DEGREES 33' 38" WEST, 86.51 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 630 FEET, THROUGH AN ANGLE OF 15 DEGREES 01' 02" FOR A DISTANCE OF 165.12 FEET; THENCE NORTH 88 DEGREES 34' 40" WEST, 154.54 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 970 FEET, THROUGH AN ANGLE OF 14 DEGREES 41' 49" FOR A DISTANCE OF 248.81 FEET; THENCE NORTH 73 DEGREES 52' 51" WEST. 129.04 FEET TO A POINT IN THE NORTHERLY LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 4; THENCE NORTH 88 DEGREES 51' 52" EAST 496.67 FEET; THENCE NORTH 0 DEGREES 29' 636.00 FEET TO AN IRON PIPE; THENCE NORTH 88 DEGREES 51' 52" EAST, 274.00 FEET TO AN IRON PIPE IN THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 4; THENCE SOUTH 0 DEGREES 29' WEST, 638.00 FEET TO AN IRON PIPE AND THE POINT OF BEGINNING. Tax ID: 060-390-008-000.

j. All that lot or parcel of land, together with buildings, improvements, fixtures, attachments and easements located at 304 Bennett Grass Valley, CA 95945, owned by PT Real Estate LLC, as more fully described as follows: situated in the State of California, County of Nevada, City of Grass Valley, described as follows: All that portion of Lot Four of Block Thirty-two of the town, now City of Grass Valley as designated on the Official Map thereof made by S. Bethel in the year 1872, described as follows:

Commencing at the Northwest corner of said Lot Four of Block Thirty-two and thence running Easterly along the Southerly line of Bennett Street 68.6 feet to a fence; thence in a Southerly direction along fence 135.00 feet to the Southerly line of said Lot Four; thence Westerly along the Southerly side of said Lot Four, 50.00 feet to the Southwest corner of said Lot Four and thence Northerly along the Easterly side of Henderson Street 135.00 feet to the place of beginning. Excepting therefrom all the mineral, ore and metal under said property, with the right to extract the same from any depth up to 100 feet of the surface of said property without disturbing the surface thereof, as conveyed by the deed dated December 22, 1916, recorded January 24, 1917, in Book 124 of Deeds, at page 425, executed by King Rodrigues, et ux to Lloyd P. Larue. Tax ID: 008-422-001-000.

k. All that lot or parcel of land, together with buildings, improvements, fixtures, attachments and easements located at 1302 Oak Ridge Drive Colfax, CA 95713, owned by PT Real Estate LLC, as more fully described as follows: situated in the State of California, County of Placer, City of Colfax, described as follows: Lot 1, as shown on the map entitled "Oak Ridge", filed for record April 15, 1991 in Book "R" of Maps, at page 52, Placer County Records. Tax ID: 100-250-001.

l. All that lot or parcel of land, together with buildings, improvements, fixtures, attachments and easements located at 250 King Street Apt 468 San Francisco, CA 94107, owned by PT Real Estate LLC, as more fully described as follows:  
SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO,  
STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS: PARCEL ONE LOT  
253. UNIT 468 ("LOT"), AS SHOWN ON THAT CERTAIN CONDOMINIUM PLAN

ENTITLED "MAP OF MISSION PLACE PHASE 4, A RESIDENTIAL CONDOMINIUM PROJECT" FILED DECEMBER 5, 2003 IN BOOK 84 OF CONDOMINIUM MAPS, PAGES 31 THROUGH 43, INCLUSIVE, AS DOCUMENT NO. 2003-H607402-00 IN THE OFFICIAL RECORDS ("OFFICIAL RECORD"), OF THE CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA ("PLAN"), CONSISTING OF A PORTION OF LOT 7, PARCEL 4, AS SHOWN ON A SUBDIVISION MAP FILED ON DECEMBER 5, 2003, IN BOOK AA OF MAPS, AT PAGES 107- 114. OF OFFICIAL RECORDS ("MAP"). EXCEPTING THEREFROM, FOR THE BENEFIT OF MISSION PLACE LLC, A DELAWARE LIMITED LIABILITY COMPANY (AS USED IN THIS EXHIBIT A, "GRANTOR"). AND CATELLUS LAND AND DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, THEIR SUCCESSORS IN INTEREST AND ASSIGNEES, EASEMENTS FOR ACCESS. INGRESS, EGRESS, ENCROACHMENT, SUPPORT, MAINTENANCE, REPAIR, AND FOR OTHER PURPOSES. ALL AS MAY BE SHOWN ON THE MAP AND THE PLAN, AND AS DESCRIBED IN THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATION OF EASEMENTS FOR MISSION PLACE (RESIDENTIAL) WHICH WAS RECORDED ON DECEMBER 28, 2004, AS DOCUMENT NO. 2004-H879167-00, IN REEL I793, IMAGE 0258. IN OFFICIAL RECORDS, THE AMENDED AND RESTATED NOTICE OF ADDITION OF TERRITORY AND SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR



MISSION PLACE (PHASE 2), WHICH WAS RECORDED ON DECEMBER 28, 2004, AS DOCUMENT NO. 2004-H879168-00, IN REEL I793, IMAGE 0259, AND THE FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATION OF EASEMENTS FOR MISSION PLACE (RESIDENTIAL), WHICH WAS RECORDED ON MAY 10, 2005, AS DOCUMENT NO. 200541950954, IN OFFICIAL RECORDS (TOGETHER WITH ANY AMENDMENTS THERETO, COLLECTIVELY, THE "DECLARATION"): THE MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATION OF EASEMENTS FOR MISSION BAY (TOGETHER WITH ANY AMENDMENTS THERETO, COLLECTIVELY, THE "MASTER DECLARATION"), WHICH WAS RECORDED ON NOVEMBER 15, 2012, AS DOCUMENT NO. 2002-H291309-00, IN REEL I265, IMAGE 0391, IN OFFICIAL RECORDS; AND THE AMENDED AND RESTATED SUPPLEMENTAL MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATION OF EASEMENTS FOR MISSION BAY (MISSION PLACE, BLOCK N1, PHASE 2), (TOGETHER WITH ANY AMENDMENTS THERETO, COLLECTIVELY, THE "SUPPLEMENTAL DECLARATION"), WHICH WAS RECORDED ON DECEMBER 28, 2004, AS DOCUMENT NO. 2004-H879166-00, IN REEL I793, IMAGE 0257, IN OFFICIAL RECORDS. ALSO EXCEPTING THEREFROM, FOR THE BENEFIT OF GRANTOR, ITS SUCCESSORS IN INTEREST AND ASSIGNEES, THE RIGHT TO ENTER THE LOT (1) TO COMPLETE AND REPAIR ANY IMPROVEMENTS LOCATED

THEREIN AS DETERMINED NECESSARY BY GRANTOR, IN ITS SOLE DISCRETION, (II) TO COMPLY WITH REQUIREMENTS FOR THE RECORDATION OF THE MAP OR THE GRADING OR CONSTRUCTION OF THE "PROPERTIES" (AS THAT TERM IS DEFINED IN THE DECLARATION), OR (III) TO COMPLY WITH REQUIREMENTS OF APPLICABLE GOVERNMENTAL AGENCIES, GRANTOR SHALL PROVIDE REASONABLE NOTICE TO GRANTEE BEFORE SUCH ENTRY IF GRANTEE REFUSES TO COOPERATE WITH GRANTOR'S EXERCISE OF THIS RIGHT, GRANTOR MAY ENFORCE THIS RIGHT OF ENTRY IN A COURT OF LAW. GRANTEE SHALL BE RESPONSIBLE FOR ALL DAMAGES ARISING OUT OF SUCH REFUSAL TO COOPERATE, INCLUDING ATTORNEYS' FEES AND COURT COSTS. THE TERM OF THIS RESERVATION OF RIGHT OF ENTRY SHALL AUTOMATICALLY EXPIRE TEN (10) YEARS AFTER THE LAST CLOSE OF ESCROW (AS THAT TERM IS DEFINED IN THE DECLARATION) FOR THE SALE OF A CONDOMINIUM (AS THAT TERM IS DEFINED IN THE DECLARATION) IN THE PROPERTIES FURTHER EXCEPTING THEREFROM, FOR THE BENEFIT OF GRANTOR, ITS SUCCESSORS AND ASSIGNS, TOGETHER WITH THE RIGHT TO GRANT AND TRANSFER ALL OR A PORTION OF THE SAME, THE RIGHT TO PLACE ON, UNDER OR ACROSS THE LOT. "TELECOMMUNICATIONS FACILITIES (AS THAT TERM IS DEFINED IN THE MASTER DECLARATION) FOR THE PROVISION OF TELECOMMUNICATIONS SERVICES (AS THAT TERM IS DEFINED IN THE MASTER DECLARATION) TO THE PROPERTIES, AND

THEREAFTER TO OWN AND CONVEY SUCH TELECOMMUNICATIONS FACILITIES, AND THE RIGHT TO ENTER UPON THE PROPERTIES TO SERVICE, MAINTAIN, OPERATE, REPAIR, RECONSTRUCT AND REPLACE THE TELECOMMUNICATIONS FACILITIES; PROVIDED, HOWEVER, THAT THE EXERCISE OF SUCH RIGHTS SHALL NOT UNREASONABLY INTERFERE WITH GRANTEE'S REASONABLE USE AND ENJOYMENT OF THE LOT PARCEL TWO AN UNDIVIDED ONE-SIXTY-FIFTH (1/65TH) FEE SIMPLE INTEREST AS TENANT IN COMMON IN AND TO THE COMMON AREA (PHASE 4) SHOWN ON THE PLAN AND DEFINED AND FURTHER DESCRIBED IN THE DECLARATION. PARCEL THREE NONEXCLUSIVE EASEMENTS FOR ACCESS, INGRESS, EGRESS, USE, ENJOYMENT, DRAINAGE, ENCROACHMENT, SUPPORT, MAINTENANCE, REPAIRS, AND OTHER PURPOSES, ALL AS SHOWN IN THE PLAN, AND THE MAP, AND AS DESCRIBED IN THE DECLARATION, MUTUAL BENEFIT AGREEMENT BETWEEN JOINT OWNERS OF BUILDING (MISSION BAY MIXED USE RESIDENTIAL/COMMERCIAL) BLOCK N1, RECORDED ON DECEMBER 5, 2003, AS DOCUMENT NO. 2003-H607094-00, IN REEL I527, IMAGE 269, AS AMENDED BY FIRST AMENDMENT THERETO RECORDED DECEMBER 27, 2004, AS DOCUMENT NO. 2004-H878610-00, IN REEL I792, IMAGE 069, THE AMENDED AND RESTATED SUPPLEMENTAL MASTER DECLARATION OF COVENANTS, CONDITIONS. RESTRICTIONS AND RESERVATION OF EASEMENTS FOR MISSION BAY COMMERCIAL (MISSION PLACE BLOCK N1),

RECORDED ON DECEMBER 27, 2004, AS DOCUMENT NO. 2004-H878609-00, IN REEL I792, IMAGE 068. THE ADDENDUM TO SUPPLEMENTAL MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATION OF EASEMENTS FOR MISSION BAY COMMERCIAL (MISSION PLACE, BLOCK NL). RECORDED ON APRIL 6, 2004, AS DOCUMENT NO. 2004-H691507-00, IN REEL I610, IMAGE 027, THE MASTER DECLARATION AND THE SUPPLEMENTAL DECLARATION, ALL IN OFFICIAL RECORDS PARCEL FOUR (UNITS WITH EXCLUSIVE USE AREAS ONLY): EXCLUSIVE EASEMENTS APPURTENANT TO PARCELS ONE AND TWO DESCRIBED ABOVE, FOR USE AND OCCUPANCY OF A PATIO OR BALCONY, AS APPLICABLE, IN, TO AND OVER THAT AREA DEFINED AS EXCLUSIVE USE AREAS IN THE DECLARATION, AS DESCRIBED AND ASSIGNED IN THE PLAN. Tax ID: 8702-253.

**VEHICLES**

a. 2018 Ford, license plate number K368B0, VIN# FTFW1RG4JFA06896, owned by **Bauer**.

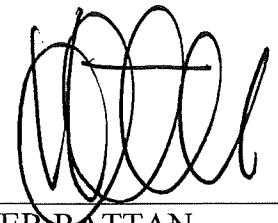
b. 2016 Ferrari, license plate number 8WRF888, VIN# ZFF777XJA6G0215727, owned by **Bauer**.

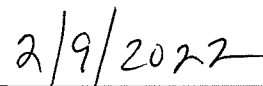
All such proceeds and/or instrumentalities are subject to forfeiture by the government.

A TRUE BILL

  
\_\_\_\_\_  
GRAND JURY FOREPERSON

BRIT FEATHERSTON  
UNITED STATES ATTORNEY

  
\_\_\_\_\_  
HEATHER RATTAN  
Assistant United States Attorney

  
\_\_\_\_\_  
Date

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	<b>SEALED</b>
	§	
v.	§	No. 4:22CR
	§	Judge
JONATHAN KYLE BAUER	§	
a.k.a. "Jonathan Kyle Wingate Bauer"	§	

**NOTICE OF PENALTY**

**Count One**

Violation: 21 U.S.C. § 846

Penalty: If 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana -- not less than 10 years and not more than life imprisonment, a fine not to exceed \$10 million, or both; supervised release of at least five years.

Special Assessment: \$100.00

**Count Two**

Violation: 18 U.S.C. § 1956(h)

Penalty: Not more than 20 years imprisonment; a fine not to exceed \$250,000 or twice the pecuniary gain or loss, and a term of supervised release of not more than 3 years if the conspiracy is to violate 18 U.S.C. § 1956(a)(1)(A)(i) or (a)(1)(B)(i).

Not more than 10 years imprisonment; a fine not to exceed \$250,000 or twice the pecuniary gain or loss, and a term of supervised release of not more than 3 years if the conspiracy is to violate 18 U.S.C. § 1957.

Special Assessment: \$100.00